

Appl. No.: 10001-02  
Amendment C  
Responsive to an Office Action mailed Jan. 6, 2006

### REMARKS

Applicant has carefully considered the Examiner's comments, rejections and newly cited prior art in the Office Action mailed January 6, 2006. In response, several of the claims have been amended so as to more clearly set forth the present invention. Bytyn et al. newly cited U.S. Patent 5,874,737 does not anticipate either of claims 46 or 48 (claim 47 has been canceled). Unlike the claimed structure, Bytyn et al. disclose the use of metal mesh 14 and non-woven metal fiber fabric 16 carried by the cover 10. As described in Bytyn et al.:

"Cover 10 also possesses an opening 13 which serves as an inlet for the gas. On the side facing the external atmosphere, this opening is covered over by metal mesh 14. On the side facing towards the measuring cell, as can be seen in Fig. 2c, a non-woven metal fibre fabric 16 is attached, e.g. bonded with adhesive 15, to the metal mesh 14 or to the inner surface of the cover 10. The non-woven metal fibre fabric 16 is made up preferably of fibers up to 2  $\mu$ m in diameter which are arranged in tangled mats of fibre of uniform weight per unit area and then compressed to define thicknesses. Appropriate non-woven metal fibre fabrics possess porosities of up to 80% with at the same time a very narrow pore size distribution." (Col. 5, ll. 5-17 Bytyn et al.)

Thus, as described above, Bytyn et al. is unlike and does not anticipate the structures of claims 46 and 48 of the pending application. Allowance of the application is respectfully requested.

In the Office Action the Examiner suggested that the Specification be amended to provide clarity relative to various elements disclosed therein. After carefully considering the issue, Applicant respectfully disagrees with the Examiner that any amendments to the Specification are necessary. It is submitted that the Declaration submitted by the Inventor makes clear that the Specification discloses and describes

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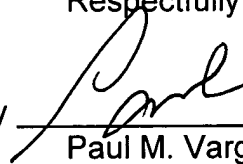
the invention as required by the Patent Statute and would be appropriately understood by those of skill in the art when the application and the figures are considered as a whole.

Allowance of the application is respectfully requested.

Respectfully submitted,

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By



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